

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

BRIAN MARTIN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 3:13-cv-00775-HEH
)	
A.L., a minor; <i>et al.</i> ,)	
)	
Defendants.)	

MOTION TO DISMISS OR STAY

Defendants A.L., a minor, and Abby Lovinger and Adam Lovinger, individually and as next best friends of A.L., their minor son (collectively the “Defendants”), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, move this Court for entry of an Order dismissing the Complaint (the “Complaint”) of Plaintiffs Brian Martin and Marko Princip or staying this action pending resolution of *Lovinger, et al. v. Princip, et al.*, Superior Court of California, in and for the County of San Mateo, Case No. 542942, or in the alternative, dismiss the Complaint’s Second through Ninth Claims with prejudice for failure to state a claim for which relief can be granted. The further grounds and bases for this Motion are set forth in the accompanying Memorandum in Support of Motion to Dismiss or Stay filed contemporaneously herewith.

WHEREFORE, Defendants respectfully request that this Court grant their Motion and Dismiss or Stay the Complaint or Dismiss the Second through Ninth Claims with prejudice.

Respectfully submitted,

/s/ Patrick R. Hanes

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son*

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of December, 2013, a copy of the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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